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IN ALEXANDRIA, LA.

MAR 11 2013

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

TONY R. MOORE, CLERK  
BY MAA DEPUTY

COREY W. OLIPHANT,  
Petitioner

CIVIL ACTION NO. 1:12-cv-0899

VERSUS

JUDGE DEE D. DRELL

WARDEN, LOUISIANA STATE  
PENITENTIARY,  
Respondent

MAGISTRATE JUDGE JAMES D. KIRK

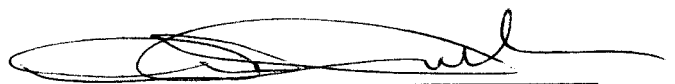
J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Corey Oliphant is GRANTED A CONDITIONAL WRIT OF HABEAS CORPUS, ORDERING HIS DISCHARGE FROM CUSTODY on Ground Number 8 of his habeas petition unless, within 60 days from the date of the order, the State of Louisiana reinstates Corey Oliphant's right to directly appeal his conviction with the assistance of counsel and affords him the opportunity to obtain court-appointed counsel for his appeal.

IT IS FURTHER ORDERED that the remainder of Oliphant's habeas claims are DISMISSED WITHOUT PREJUDICE.

THUS ORDERED AND SIGNED in Chambers at Alexandria, Louisiana, on this 8<sup>th</sup> day of MARCH 2013.



CHIEF JUDGE DEE D. DRELL  
UNITED STATES DISTRICT COURT